

AMENDED

# **APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office.....MAY-21-1990 NEW PRIORITY DATE: JAN-21-1994  
 Returned to applicant for correction.....JUN 29 1990  
 Corrected application filed.....JUL 11 1990  
 Map filed.....JUL 11 1990

The applicant.....DEMAR THURMAN  
137 KEDDIE STREET, of.....FALLON  
Street and No. or P.O. Box No. City or Town  
NEVADA 89406, hereby make.... application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
 copartnership or association, give names of members.)

1. The source of the proposed appropriation is.....AN UNDERGROUND SOURCE  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is.....1.0 CFS.....second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet.....
3. The water to be used for.....QUASI-MUNICIPAL & DOMESTIC  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated.....
  - (b) Stockwater, state number and kinds of animals to be watered.....
  - (c) Other use (describe fully under "No. 12. Remarks").....SEE REMARKS
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point Located in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section  
Describe as being within a 40-acre subdivision of public  
26, T.19N., R.28E., M.D.B.&M; from a point that bears N 49° 07' 28" E. a  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
distance of 1891.0 feet to the N $\frac{1}{4}$  corner of said Section 26.
6. Place of use.....A portion of the NW $\frac{1}{4}$ -SE $\frac{1}{4}$ , NE $\frac{1}{4}$ -SE $\frac{1}{4}$ , SE $\frac{1}{4}$ -SE $\frac{1}{4}$  & a portion of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$   
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
of Section 23. A portion of the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ , NE $\frac{1}{4}$ -NW $\frac{1}{4}$ , SW $\frac{1}{4}$ -NW $\frac{1}{4}$ , SE $\frac{1}{4}$ -NW $\frac{1}{4}$ , NW $\frac{1}{4}$ -NE $\frac{1}{4}$   
NE $\frac{1}{4}$ -NE $\frac{1}{4}$ , SW $\frac{1}{4}$ -NE $\frac{1}{4}$ , SE $\frac{1}{4}$ -NE $\frac{1}{4}$  & a portion of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ , NE $\frac{1}{4}$ -SW $\frac{1}{4}$ , NW $\frac{1}{4}$ -SE $\frac{1}{4}$ , NE $\frac{1}{4}$ -SE $\frac{1}{4}$   
of Section 26, T.19N., R.28E., M.D.B.&M.
7. Use will begin about.....Jan 1.....and end about.....Dec 31.....of each year.  
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.).....WELL, PUMP & DISTRIBUTION SYSTEM  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
 flumes, drilled well with pump and motor, etc.
9. Estimated cost of works.....\$20,000

10. Estimated time required to construct works..... 1 year  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

CONSUMPTIVE USE WILL CONSIST OF VARIOUS SINGLE FAMILY AND MULTI FAMILY UNITS

AS WELL AS A PLANNED UNIT DEVELOPMENT. THE TOTAL ESTIMATED NUMBER OF UNITS

PROPOSED TO BE SERVED WILL BE APPROXIMATELY 300.

By s/Barry Fitzpatrick  
Barry Fitzpatrick S.W.R.S #817  
137 KEDDIE ST.  
FALLON, NV 89406

Compared bc/se am/se

Protested 9/4/90 by TCID

Pro. wdr. 8-15-91

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 54853 and 54854 shall not exceed 21.18 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 0.25 cubic feet per second, but not to exceed 21.18

million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... October 22, 1992

Proof of completion of work shall be filed on or before..... November 22, 1992

Application of water to beneficial use shall be made on or before..... October 22, 1994

Proof of the application of water to beneficial use shall be filed on or before..... November 22, 1994

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 22nd day of October,

Cultural map filed..... A.D. 19 91

Certificate No. .... Issued.....

~~CANCELLED DEC 09 1996~~ BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

~~CANCELLED FEB 16 1994~~ BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

~~CANCELLED JUN 20 1995~~ BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

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conc. Rescinded 10-6-95

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

This permit is issued subject to the letter from Truckee-Carson Irrigation District dated August 13, 1991 withdrawing their protest.

